IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE
and
THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO : 1176 of 2004

Between:
1 Rajesh Ram
R/o. Bholashab Maktha, Back side of the Hon'ble Judges Quarters, Kundan Bagh,
Begumpet, Hyderabad.
2 Sridhar Reddy,
R/o. Bholashab Maktha, Back side of the Hon'ble Judges Quarters, Kundan Bagh,
Begumpet, Hyderabad.
3 Sudershan,
R/o. Bholashab Maktha, Back side of the Hon'ble Judges Quarters, Kundan Bagh,
Begumpet, Hyderabad.

..... PETITIONERS

AND

1 The Commissioner of Muncipal Corporation of Hyderabad, at Hyderabad.
2 The A.P. Pollution Control Board, Hyderabad.
3 Smt. Narayanamma, Corporator, Kundanbagh, Begumpet, Hyderabad.
4. The Health Officer, MCH, Begumpet Ward, Kundan Bagh, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court

will be pleased to issue an order, direction, or a writ more particularly one in the nature of Writ of Mandamus, calling for the remarks and records from the Respondents herein in and connected to the misuse of the Municipal Park, behind the House of Sri Balaparameshwar Rao, Neuro Surgeon, Opposite to the "The Hindu Daily" which is occupied by one Mr. Kiran Kumar of the same locality and shifting the waste of the locality and doing business by engaging the workers of the slum, for which the locality is completely polluted and the children is always getting fever and other ailments, Intervention of the authorities and praying the Hon'ble Court to direct the concerned for taking necessary steps to prevent misuse and pollution.

Counsel for the Petitioner: LETTER

For the Respondents 1 and 5:Smt. G.Jyothikiran, SC for MCH

For Respondent No. 2: Mr. S.V.Bhatt, SC for A.P.P.C. B.

The Court Made the Following :

ORAL ORDER: (per The Honourable Sri Devinder Gupta, the Chief Justice)

Letter received from the residents of Bhola Shab Maktha, situated in the back of Judges Quarters, Kundanbagh, Begumpet, Hyderabad, was registered as Taken up Writ Petition, on which notice was issued to respondents. The sender of the letter stated that there was a small playground in the Municipal park consisting of 2000 sq. yards behind the house of Sri Bala Parameshwar Rao, Neuro Surgeon, opposite to the The Hindu Daily, which was occupied by one Kiran Kumar, and he is shifting the waste of the locality and doing business by engaging the workers of the slum, and, thus, it is complained that the locality was completely polluted.

After notice, respondents 1 and 5 have filed their reply dated: 29.3.2004 narrating the circumstances and stating that the Commissioner, Municipal Corporation of Hyderabad had an interactive meeting with Greenlands Residents Welfare Associations of Uma

Nagar, Methodist Colony and B.S.Maktha areas to promote the scheme of Vermi composting in the resident colonies with the active participation of the associations. Temporary sheds for vermi composting units were constructed and that open space of Municipal Corporation of Hyderabad was temporarily used for the purpose of segregating the garbage.

After receipt of the affidavit in reply of the Municipal Corporation of Hyderabad and report of the A.P. Pollution Control Board, dated: 24.1.2004, further status report was directed to be placed on record, and, in the further status report it is stated that Green Land Residents Welfare Association is collecting 7 MT of Municipal Solid Waste from B.S.Maktha, Uma Nagar and Methodist Colony areas, and, out of this, 4 MT of waste is daily transported to dumping yard and the balance 3 MT is being segregated into glass, plastics, paper, which constitute 40% and compostable material which is 60% of total waste, and, the recyclable materials such as glass, plastics and paper are being sold to waste dealers on day-to-day basis after stocking at site. It is further stated in the said report thus:

> " The Welfare Association has constructed 10 compost beds in which the compstable material is being stocked every day and held there until the completion of natural composting process. Thereafter, the compost is retrieved and distributed to the residents of the area for application to the home gardens. These beds are constructed within a temporary thatched roof shelter, which is enclosed on all sides with thatched mats to keep the stray animals birds etc. away, and to protect the beds from rain and wind action. The temporary thatched roof shelter is put up in the available open area without disturbing the park or the trees and plants existing in the area. This composting activity is being undertaken under guidance of Environmental Engineers of M/s Environment Protection Training and Research Institute of Hyderabad. Further, the S.C. Corporation has also given one truck to the Welfare Association to transport the unusable materials"

This latest report dated: 15.6.2004 suggests that effective steps have been taken for the disposal of the solid waste as also for keeping the area pollution-free under the guidance of Environmental Engineers of M/s Environment Protection Training and Research Institute, Hyderabad. Since effective steps have been taken by the respondents in the matter, we are of the view that no further direction is required to be issued in this Writ Petition, which is hereby closed. No costs.

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

VR.

TO

1 The Commissioner of Muncipal Corporation of Hyderabad, at Hyderabad.
2 The A.P. Pollution Control Board, Hyderabad.
3 Smt. Narayanamma, Corporator, Kundanbagh, Begumpet, Hyderabad.
4. The Health Officer, MCH, Begumpet Ward, Kundan Bagh, Hyderabad.
5. Two CD copies.